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RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JACQUELINE HONE,

Plaintiff,

v.

 PRESIDENTE U.S.A., INC., CERVECERIA
NACIONAL DOMINICANA, GRUPO LEON
JIMENES, LTD., ADMINISTAFF, INC.,
GEVITY H.R., and PHILLIP MORRIS,

Defendants.

Civil Action No. 07-5635 (HAA)(ES)

**NORTHERN DIST. OF CALIFORNIA
MISCELLANEOUS CASE NUMBER:
CV08 - 80071 MISC (JF)(HRL)**

**AMENDED NOTICE OF MOTION TO
QUASH THE DISCOVERY SUBPOENA
DUCES TECUM SERVED BY
DEFENDANTS PRESIDENTE U.S.A.,
INC., and GEVITY H.R., ON YAHOO!
FOR PLAINTIFF'S**

and

REQUEST TELEPHONIC ARGUMENT

TO: Eric A. Savage, Esq.
Littler Mendelsohn
One Newark Center - 8th Floor
Newark, NJ 07102-5311
Attorneys for Defendants Presidente U.S.A., Inc., and Gevity HR, Inc.

Susan R. Engle, Esq.
Mintzer, Sarowitz, Zeris, Ledva & Meyers, LLP
2070 Springdale Road, Suite 400
Cherry Hill, NJ 08003
Attorneys for Defendant Administaff, Inc.

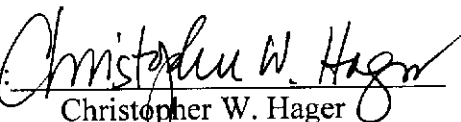
PLEASE TAKE NOTICE that on Tuesday, July 8, 2008, at 10:00 a.m., west coast time,
Plaintiff Jacqueline Hone will move before United States Magistrate Judge Howard R. Lloyd of
the United States District Court, Northern District of California, for an Order under Federal Rule

of Civil Procedure 45(c)(3) quashing the discovery subpoena duces tecum by Defendants Presidente U.S.A., Inc., and Gevity HR, Inc., that was served on the Yahoo! custodian of records on April 3, 2008, and bearing Miscellaneous case number CV 08-8007 1.

PLEASE TAKE FURTHER NOTICE that, in support of the within motion, Plaintiff Jacqueline Hone will rely upon the declaration of her counsel, with annexed exhibits, and legal brief.

PLEASE TAKE FURTHER NOTICE that Plaintiff Jacqueline Hone requests that, if opposition is filed to this motion and the Court wishes to hear oral argument, such oral argument be conducted telephonically with the Court.

NIEDWESKE BARBER
Attorneys for Plaintiff Jacqueline Hone

By: 
Christopher W. Hager

Dated: June 3, 2008

DECLARATION OF SERVICE

Christopher W. Hager, of full age, hereby declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney-at-law of the State of New Jersey and a Partner in the law firm of Niedweske Barber, attorneys for Plaintiff Jacqueline Hone. I have personal knowledge of the matters herein.
2. On May 27, 2008, I caused the following documents to be filed via overnight courier to the United States District Court, Northern District of California, in support of Plaintiff's motion: (a) Plaintiff's Notice of Motion to Quash the Discovery Subpoena Duces Tecum; (b) Declaration of Counsel, with exhibits, pursuant to 28 U.S.C. § 1746; (c) Legal brief; and (d) Proposed form of Order.
3. On May 27, 2008, I also caused the foregoing documents to be served via overnight courier separately addressed to Littler Mendelson, 1 Newark Center, Newark, New Jersey, attorneys for Defendants Presidente U.S.A., Inc., and Gevity H.R., and Mintzer, Sarowitz, Zeris, Ledva & Meyers, LLP, 2070 Springdale Road, Cherry Hill, New Jersey, attorneys for Defendant Administaff, Inc.
4. The purpose of this second Notice of Motion is solely to set a hearing date consistent with U.S. Magistrate Judge Lloyd's schedule.
5. I hereby declare under penalty of perjury that the foregoing is true and correct.


Christopher W. Hager

Dated: June 3, 2008